

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT SEATTLE

UNITED STATES OF AMERICA,)	
)	
Plaintiff,)	CASE NO. CR05-391RSM
v.)	
)	
)	DETENTION ORDER
RAEBURN GENE GAMBLE,)	
)	
Defendant.)	

Offense charged:

Conspiracy to Distribute Controlled Substances, in violation o Title 21, U.S.C.,
Sections 812, 841(a)(1), 841(b)(1)(A), 841(b)(1)(B), 841(C), and 846.

Date of Detention Hearing: November 28, 2005

The Court, having conducted an uncontested detention hearing pursuant to Title
18 U.S.C. § 3142(f), and based upon the factual findings and statement of reasons for
detention hereafter set forth, finds that no condition or combination of conditions which the
defendant can meet will reasonably assure the appearance of the defendant as required and
the safety of any other person and the community. The Government was represented by
Rich Cohen. The defendant was represented by Jeffrey H. Smith.

The Government moved for detention to which the defendant stipulated, reserving

1 the right to reopen the matter.

2 FINDINGS OF FACT AND STATEMENT OF REASONS FOR DETENTION

- 3 (1) There is probable cause to believe the defendant committed the drug
4 conspiracy offense. The maximum penalty is in excess of ten years.
5 There is therefore a rebuttable presumption against the defendant's
6 release based upon both dangerousness and flight risk, under Title 18
7 U.S.C. § 3142(e).
- 8 (2) Defendant is viewed as a risk of flight as he has absconded from parole;
9 there is an outstanding warrant for his arrest and his ties to the district of
10 Washington are unknown.
- 11 (3) Due to the nature of the instant offense together with the Defendant's
12 criminal history this defendant poses a danger to the community.
- 13 (4) Defendant stipulated to detention.
- 14 (5) Based upon the foregoing information, which is consistent with the
15 recommendation of U.S. Pre-trial Services, it appears that there is no
16 condition or combination of conditions that would reasonably assure
17 future Court appearances and/or the safety of other persons or the
18 community.

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20 **It is therefore ORDERED:**

- 21 (1) The defendant shall be detained pending trial and committed to the
22 custody of the Attorney General for confinement in a correction facility
23 separate, to the extent practicable, from persons awaiting or serving
24 sentences or being held in custody pending appeal;
- 25 (2) The defendant shall be afforded reasonable opportunity for private
26 consultation with counsel;

1 (3) On order of a court of the United States or on request of an attorney for
2 the Government, the person in charge of the corrections facility in which
3 the defendant is confined shall deliver the defendant to a United States
4 Marshal for the purpose of an appearance in connection with a court
5 proceeding; and

6 (4) The clerk shall direct copies of this order to counsel for the United
7 States, to counsel for the defendant, to the United States Marshal, and to
8 the United States Pretrial Services Officer.

9 DATED this 6th day of December, 2005.

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13 MONICA J. BENTON
14 United States Magistrate Judge
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